

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AMERICAN EMPIRE SURPLUS LINES)	
INSURANCE COMPANY, as subrogee of)	
FROCK BROS. TRUCKING, INC.)	Case No. 08 CV 2799
)	
Plaintiff,)	Judge Dow
)	
vs.)	Magistrate Valdez
)	
CUMMINS, INC.)	
)	
Defendants.)	

NOTICE OF SUBSTITUTION OF COUNSEL

Defendant American College of Surgeons hereby gives notice that Brendan J. Healey of Mandell Menkes LLC is hereby withdrawing from this case and will be replaced by Steven L. Baron of Mandell Menkes LLC. Attached hereto as Ex. A is an Appearance Form for Mr. Baron

Respectfully submitted,

CUMMINS INC.

/s/ Steven L. Baron
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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I filed a copy of the foregoing with the Clerk of the Court using the ECM/ECF system. I further certify that a copy of the foregoing was served on August 29, 2008 via ECF on the following counsel of record:

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/s/ Steven L. Baron
An Attorney for Defendant

**U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS
ATTORNEY APPEARANCE FORM**

NOTE: In order to appear before this Court an attorney must either be a member in good standing of this Court's general bar or be granted leave to appear *pro hac vice* as provided for by Local Rules 83.12 through 83.14.

In the Matter of

Case Number: 08 CV 2799

AMERICAN EMPIRE SURPLUS LINES INSURANCE COMPANY, as
subrogee of FROCK BROS. TRUCKING, INC. v. CUMMINS, INC.

AN APPEARANCE IS HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY FOR:

(In the space below, enter the name of the party or parties being represented)

NAME (Type or print)

Steven L. Baron

SIGNATURE (Use electronic signature if the appearance form is filed electronically)

s/Steven L. Baron/

FIRM Mandell Menkes LLC

STREET ADDRESS 333 West Wacker Drive, Suite 300

CITY/STATE/ZIP Chicago, Illinois 60606

ID NUMBER (SEE ITEM 3 IN INSTRUCTIONS) 6200868

TELEPHONE NUMBER 312-251-1000

ARE YOU ACTING AS LEAD COUNSEL IN THIS CASE? (Enter "Y" or "N") N

ARE YOU ACTING AS LOCAL COUNSEL IN THIS CASE? (Enter "Y" or "N") Y

ARE YOU A MEMBER OF THIS COURT'S TRIAL BAR? (Enter "Y" or "N") Y

IF THIS CASE REACHES TRIAL, WILL YOU ACT AS THE TRIAL ATTORNEY? (Enter "Y" or "N") Y

IF THIS IS A CRIMINAL CASE, USE AN "X" TO DESCRIBE YOUR STATUS IN THIS CASE.

RETAINED COUNSEL

APPOINTED COUNSEL

EXHIBIT**A**

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